



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Vanessa E. Boone : Group Art Unit: 3673
Serial No.: 10/726,531 : Examiner: Lisa M. Saldano
Filed: December 4, 2003
For: HEADREST

DECLARATION TRAVERSING REJECTIONS UNDER 37 C.F.R. §1.132

Mail Stop: Fee Amendment
Commissioner for Patents
P. O. box 1450
Alexandria, VA 22313-1450

Sir:

I, E. Vanessa Boone hereby declare as follows:

- 1) I am the inventor named in the above-identified application.
- 2) I am the owner of the Perfect Hair Pillow Company which sells the headrest claimed in the application and shown in Exhibit A.
- 3) I have sold through my company, Perfect Hair Pillow Company, 24 headrests described in claims 1-5 and 8-12 pending in the above-identified patent application, as amended in the Reply to be filed February 22, 2005 (Exhibit B).
- 4) I have given away 7 demos in an effort to increase demand for my headrest (Exhibit C).
- 5) Attached to this Declaration are copies of receipts evidencing commercial activity of the headrests described and claimed in my patent application.
- 6) People using my headrest have found it satisfactory in that in the morning they are able to fluff their hair with their fingers and do not need to curl or comb their hair (Exhibit D).

7) In order for my business to thrive, I need more product which I can obtain only through outside investment. A patent will help me to secure outside investment.

I declare under penalty of perjury that the foregoing is true and correct, this 22nd day of February 2005.

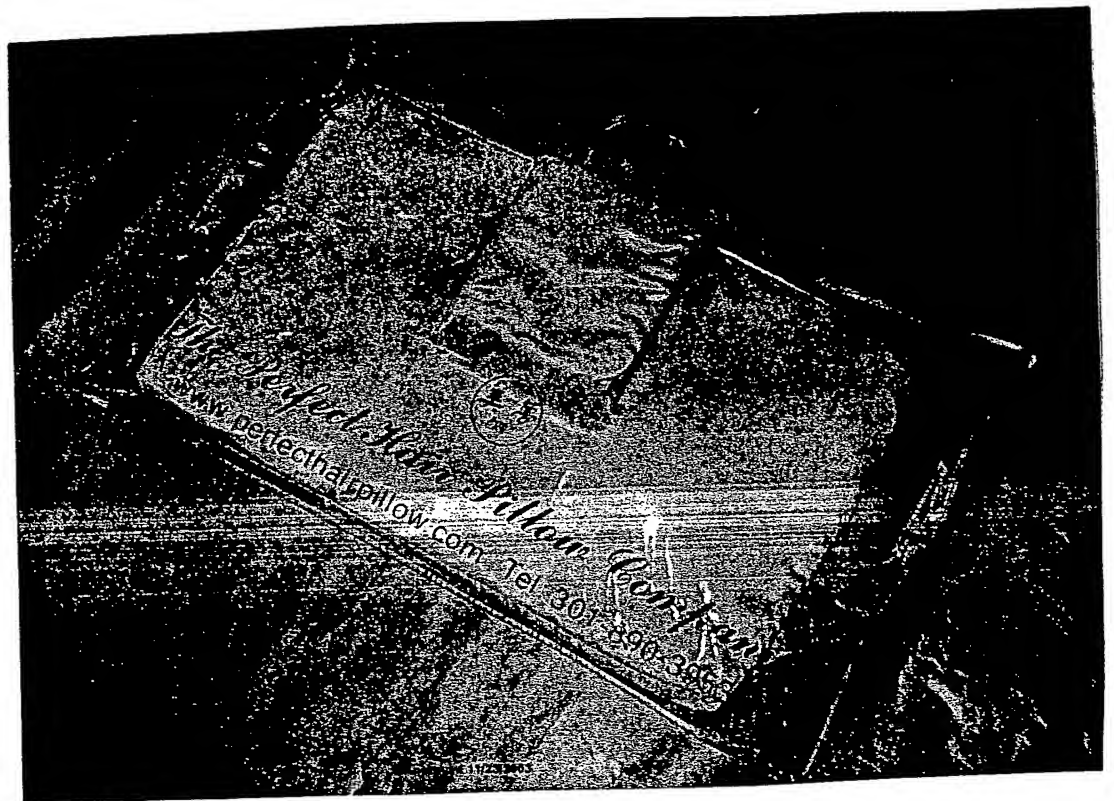
Respectfully submitted,

E. Vanessa Boone
13701 Colgate Way #1138
Silver Spring, MD 20904

Date: February 22, 2005

EXHIBIT

A



BEST AVAILABLE COPY

EXHIBIT

B

RECEIPT

DATE 8-18-03 No. 697809

RECEIVED FROM Loula Walker Thirty \$30.00

Perfect Hair Pillow - Sent to Mae Tolbert DOLLARS

☐ FOR RENT
☐ FOR

ACCOUNT ☐ CASH FROM ☐ TO

PAYMENT ☐ CHECK BY Elnora Vanessa Lopez

BAL DUE 30.00 ☐ MONEY ORDER 1182

RECEIPT

DATE 8-22-03 No. 697810

~~Dem - 2 Gold Cases - GIVEN~~ \$ 0

~~to Moma~~ Zero DOLLARS

~~2 Pillow Cases - GOLD~~

ACCOUNT ☐ CASH FROM ☐ TO

PAYMENT ☐ CHECK BY Elnora Vanessa Lopez

BAL DUE 00 ☐ MONEY ORDER 1182

RECEIPT

DATE 8-22-03 No. 697811

RECEIVED FROM Sherry Menna \$150.00

One hundred and Fifty dollars DOLLARS

☐ FOR RENT
☐ FOR 5 Perfect Hair Pillows

ACCOUNT ☐ CASH FROM ☐ TO

PAYMENT ☐ CHECK BY Elnora Vanessa Lopez

BAL DUE 150.00 ☐ MONEY ORDER 1182

RECEIPT

DATE 8-22-03 No. 697812

~~Dem - Sherry Menna~~ \$ 0

~~Zero dollars~~ DOLLARS

~~1 Perfect Hair Pillow~~

ACCOUNT ☐ CASH FROM ☐ TO

PAYMENT ☐ CHECK BY Elnora Vanessa Lopez

BEST AVAILABLE COPY

RECEIPT

DATE 8-12-03 No. 697805

RECEIVED FROM Mae Tolbert \$ 30.00

Thirty DOLLARS

☐ FOR RENT Perfect Hair Pillow

☒ FOR

ACCOUNT ☐ CASH FROM E. Vanessa Lorne TO

PAYMENT 30.00 ☐ CHECK

BAL DUE 00 ☐ MONEY ORDER BY E. Vanessa Lorne 1182

RECEIPT

DATE 8-14-03 No. 697806

RECEIVED FROM Promotional - E. Vanessa Lorne \$ 0.00

Perfect Hair Pillow DOLLARS

☐ FOR RENT Perfect Hair Pillow

☒ FOR

ACCOUNT ☐ CASH FROM E. Vanessa Lorne TO

PAYMENT 00 ☐ CHECK

BAL DUE 00 ☐ MONEY ORDER BY E. Vanessa Lorne 1182

RECEIPT

DATE 8-14-03 No. 697807

RECEIVED FROM Promotional - Elissa "Model" \$ 0.00

Perfect Hair Pillow DOLLARS

☐ FOR RENT Perfect Hair Pillow

☒ FOR

ACCOUNT ☐ CASH FROM E. Vanessa Lorne TO

PAYMENT 00 ☐ CHECK

BAL DUE 00 ☐ MONEY ORDER BY E. Vanessa Lorne 1182

RECEIPT

DATE 8-18-03 No. 697808

RECEIVED FROM DEMO - Curtis B. Lorne \$ 0.00

Perfect Hair Pillow - GOLD CASE DOLLARS

☐ FOR RENT Perfect Hair Pillow - GOLD CASE

☒ FOR

ACCOUNT ☐ CASH FROM E. Vanessa Lorne TO

PAYMENT 00 ☐ CHECK

BAL DUE 00 ☐ MONEY ORDER BY E. Vanessa Lorne 1182

ST
ALE

RECEIPT

DATE	8-10-03	No.	697803
RECEIVED FROM	Gloria Boone	\$	30.00
Thirty			DOLLARS
FOR RENT	Perfect Hair Pillow		
FOR			
ACCOUNT		<input checked="" type="checkbox"/> CASH	FROM
PAYMENT	30.00	<input type="checkbox"/> CHECK	BY E. Vanessa Boone
BAL. DUE	00	<input type="checkbox"/> MONEY ORDER	1162

Check # 3215

RECEIPT

DATE	8-11-03	No.	697805
RECEIVED FROM	Judith Boone	\$	30.00
Thirty			DOLLARS
FOR RENT	Perfect Hair Pillow		
FOR			
ACCOUNT		<input type="checkbox"/> CASH	FROM
PAYMENT	30.00	<input checked="" type="checkbox"/> CHECK	BY E. Vanessa Boone
BAL. DUE	00	<input type="checkbox"/> MONEY ORDER	1162

Gave
LONNIE
3 Gold
Pillow
Cases
Instead
of
White

RECEIPT

DATE 8-23-03 No. 697813

RECEIVED FROM LONNIE ALLEN \$ 90.00

Ninety dollars DOLLARS

☐ FOR RENT ☒ FOR 3 Perfect Hair Pillows

ACCOUNT	<u>Perfect Hair</u>	<input type="radio"/> CASH	FROM	TO
PAYMENT	<u>90.00</u>	<input type="radio"/> CHECK	BY	<u>Elvira Vanessa Boone</u>
BAL. DUE	<u>90.00</u>	<input type="radio"/> MONEY ORDER		

1182

RECEIPT

DATE 8-23-03 No. 697814

RECEIVED FROM LORRAINE BOONE \$ 30.00

Thirty dollars DOLLARS

☐ FOR RENT ☒ FOR Perfect Hair Pillow Gave Lorraine Mom's gold P. Pillow Case

ACCOUNT		<input type="radio"/> CASH	FROM	TO
PAYMENT		<input type="radio"/> CHECK	BY	<u>Elvira Vanessa Boone</u>
BAL. DUE	<u>30.00</u>	<input type="radio"/> MONEY ORDER		

1182

RECEIPT

DATE 9-2-03 No. 697815

RECEIVED FROM Tanya Walker \$ 0

ZERO DOLLARS

☐ FOR RENT ☒ FOR Perfect Hair Pillow & 1 Gold Case

ACCOUNT		<input type="radio"/> CASH	FROM	TO
PAYMENT		<input type="radio"/> CHECK	BY	<u>Elvira Vanessa Boone</u>
BAL. DUE	<u>0</u>	<input type="radio"/> MONEY ORDER		

1182

RECEIPT

DATE 9-1-03 No. 697816

RECEIVED FROM Demo (SALES) Tesha Walker \$ 0

ZERO DOLLARS

☐ FOR RENT ☒ FOR Perfect Hair Pillow plus 1 Gold Case

ACCOUNT		<input type="radio"/> CASH	FROM	TO
PAYMENT		<input type="radio"/> CHECK	BY	<u>Elvira Vanessa Boone</u>
BAL. DUE		<input type="radio"/> MONEY ORDER		

1182

RECEIPT

DATE 9-29-03 No. 697817

RECEIVED FROM Deonka - Shipped to Gloria \$ 38.00

Thirty eight dollars

☐ FOR RENT Perfect Hair Pillow 30.00 Pillow DOLLARS
☐ FOR 8.00 shipping & handling

ACCOUNT	<u>38.00</u>
PAYMENT	<u>8.00</u>
BAL. DUE	<u>38.00</u>

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM Gloria V. Boone TO

BY Gloria V. Boone 1182

RECEIPT

DATE 9-29-03 No. 697818

RECEIVED FROM Dionne Smith \$ 38.00

Thirty eight dollars

☐ FOR RENT Perfect Hair Pillow 30.00 Pillow DOLLARS
☐ FOR 8.00 shipping & handling

ACCOUNT	<u>38.00</u>
PAYMENT	<u></u>
BAL. DUE	<u>00</u>

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM Gloria V. Boone TO

BY Gloria V. Boone 1182

RECEIPT

DATE 10-05-03 No. 697819

RECEIVED FROM Leonard Hardy \$ 68.00

Two Perfect Hair Pillows 60.00 Pillow DOLLARS
8.00 shipping & handling

ACCOUNT	<u>68.00</u>
PAYMENT	<u></u>
BAL. DUE	<u>00</u>

☐ FOR RENT ☐ FOR

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM Gloria V. Boone TO

BY Gloria V. Boone 1182

RECEIPT

DATE 12-01-04 No. 697820

RECEIVED FROM Michael Sims \$ 150.00

One hundred fifty dollars

☐ FOR RENT 5 Perfect Hair Pillows DOLLARS
☐ FOR

ACCOUNT	<u>150.00</u>
PAYMENT	<u></u>

☐ CASH ☐ CHECK

FROM Gloria V. Boone TO

BY Gloria V. Boone

EXHIBIT

C

RECEIPT

DATE 8-18-03 No. 697809

RECEIVED FROM Walker \$ 30.00

Thirty DOLLARS

FOR RENT Perfect Hair Pillow - Sent to the Tollert

FOR

ACCOUNT

PAYMENT

BAL. DUE 30.00

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM TO

BY Elnora Vanessa Looze 1182

RECEIPT

DATE 8-22-03 No. 697810

RECEIVED FROM Demo - 2 Gold Cases Given \$ 0

to Moma and Glo - ZERO DOLLARS

FOR RENT 2 Pillow Cases - GOLD

FOR

ACCOUNT

PAYMENT

BAL. DUE 00

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM TO

BY Elnora Vanessa Looze 1182

RECEIPT

DATE 8-22-03 No. 697811

RECEIVED FROM Sherry Menna \$ 150.00

One hundred and fifty DOLLARS

FOR RENT 5 Perfect Hair Pillows

FOR

ACCOUNT

PAYMENT

BAL. DUE 150.00

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM TO

BY Elnora Vanessa Looze 1182

RECEIPT

DATE 8-22-03 No. 697812

RECEIVED FROM Demo - Sherry Menna \$ 0

Zero DOLLARS

FOR RENT Perfect Hair Pillow

FOR

ACCOUNT

PAYMENT

BAL. DUE

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM TO

BY Elnora Vanessa Looze 1182

RECEIPT

DATE 8-12-03 No. 697805
RECEIVED FROM Mae Tolbert \$ 30.00
Thirty DOLLARS
☐ FOR RENT
☒ FOR Perfect Hair Pillow
ACCOUNT

PAYMENT	30 00
BAL DUE	00

☒ CASH FROM E. Vanessa Lane
☐ CHECK BY E. Vanessa Lane
☐ MONEY ORDER 1182

RECEIPT

DATE 8-14-03 No. 697806
RECEIVED FROM Promotional - GWEN CRAIG \$ 0.00
0 DOLLARS
☐ FOR RENT
☒ FOR Perfect Hair Pillow
ACCOUNT

PAYMENT	
BAL DUE	00

☐ CASH FROM E. Vanessa Lane
☐ CHECK BY E. Vanessa Lane
☐ MONEY ORDER 1182

RECEIPT

DATE 8-14-03 No. 697807
RECEIVED FROM Promotional - Elissa "Model" \$ 0.00
0 DOLLARS
☐ FOR RENT
☒ FOR Perfect Hair Pillow
ACCOUNT

PAYMENT	
BAL DUE	00

☐ CASH FROM E. Vanessa Lane
☐ CHECK BY E. Vanessa Lane
☐ MONEY ORDER 1182

RECEIPT

DATE 8-18-03 No. 697808
RECEIVED FROM DEMO - Curtis Boone \$ 0.00
0 DOLLARS
☐ FOR RENT
☒ FOR PERFECT Hair Pillow - GOLD CASE
ACCOUNT

PAYMENT	00
BAL DUE	

☐ CASH FROM E. Vanessa Lane
☐ CHECK BY E. Vanessa Lane
☐ MONEY ORDER 1182

Gave
LONN
3 Gold
Pillow
Cases
Instead
of
White

RECEIPT

DATE 8-23-03 No. 697813

RECEIVED FROM LONNIE ALLEN \$ 90.00

NINETY DOLLARS

☐ FOR RENT ☒ FOR 3 Perfect Hair Pillows

ACCOUNT Perfect Hair ☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM Elvira Vanessa Boone TO Elvira Vanessa Boone

BAL. DUE 90.00 BY Elvira Vanessa Boone 1182

RECEIPT

DATE 8-23-03 No. 697814

RECEIVED FROM Elvira Vanessa Boone \$ 30.00

THIRTY DOLLARS

Perfect Hair Pillow 6 Gold Pillows

☐ FOR RENT ☒ FOR Perfect Hair Pillow

ACCOUNT Perfect Hair ☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM Elvira Vanessa Boone TO Elvira Vanessa Boone

BAL. DUE 30.00 BY Elvira Vanessa Boone 1182

RECEIPT

DATE 9-2-03 No. 697815

RECEIVED FROM Tanya Walker - DEMO \$ 0

ZERO DOLLARS

☐ FOR RENT ☒ FOR Perfect Hair Pillow & 1 Gold Case

ACCOUNT Perfect Hair ☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM Elvira Vanessa Boone TO Elvira Vanessa Boone

BAL. DUE 0 BY Elvira Vanessa Boone 1182

RECEIPT

DATE 9-1-03 No. 697816

RECEIVED FROM Demo (Sales) Tesha Walker \$ 0

ZERO DOLLARS

☐ FOR RENT ☒ FOR Perfect Hair Pillow plus 1 pink Case

ACCOUNT Perfect Hair ☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM Elvira Vanessa Boone TO Elvira Vanessa Boone

BAL. DUE 0 BY Elvira Vanessa Boone 1182

RECEIPT

DATE 9-29-03 No. 697817

RECEIVED FROM Deborah - Smith & Gloria \$ 38.00

☐ FOR RENT 20.00 Pillow DOLLARS
☐ FOR 20.00 Pillow + Laundry

☐ CASH
☐ CHECK
☐ MONEY ORDER

FROM Elena V. Boone TO Elena V. Boone

BY Elena V. Boone 1182

ACCOUNT	30.00
PAYMENT	8.00
BAL. DUE	38.00

RECEIPT

DATE 9-29-03 No. 697818

RECEIVED FROM Dionne Smith \$ 38.00

☐ FOR RENT 30.00 Pillow DOLLARS
☐ FOR 30.00 Pillow + Laundry

☐ CASH
☐ CHECK
☐ MONEY ORDER

FROM Elena V. Boone TO Elena V. Boone

BY Elena V. Boone 1182

ACCOUNT	38.00
PAYMENT	
BAL. DUE	00

RECEIPT

DATE 10-05-03 No. 697819

RECEIVED FROM Leonard Hardy \$ 68.00

☐ FOR RENT 60.00 Pillow DOLLARS
☐ FOR 60.00 Pillow + Laundry

☐ CASH
☐ CHECK
☐ MONEY ORDER

FROM Elena V. Boone TO Elena V. Boone

BY Elena V. Boone 1182

ACCOUNT	68.00
PAYMENT	
BAL. DUE	00

RECEIPT

DATE 12-01-04 No. 697820

RECEIVED FROM Michelle Sims \$ 150.00

☐ FOR RENT 50.00 Pillow DOLLARS
☐ FOR 50.00 Pillow + Laundry

☐ CASH
☐ CHECK
☐ MONEY ORDER

FROM Elena V. Boone TO Elena V. Boone

BY Elena V. Boone 1182

ACCOUNT	150.00
PAYMENT	
BAL. DUE	00

EXHIBIT

D

Hair Pillow

Test Results

Sunday Nite 10-27-02

Hair texture - soft, hard to hold curls
used ear piece - had to get comfortable,
once I was comfortable slept soundly

Results: Hair looked the same did not
have to curl or comb. Fluffed hair out
with fingers

Monday Nite 10-28-02

Used: Bigger face plate; Could not
get comfortable; at 3:30 Am switched
back to ear piece, slept soundly
Did not curl or comb hair, fluffed with
fingers

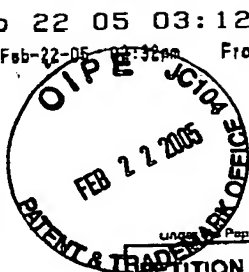
Tuesday Nite

Used: ear piece slept Very comfortable
and soundly. Did not curl or comb hair
fluffed hair with fingers.

My opinion of the hair pillow:

It takes about 2-3 days to get use to the pillow, once you use to it and you find your comfortable position, you don't want to sleep without it. I love the idea not combing my hair every morning

Rollanda Williams
10/30/02



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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)

In re Application of
E. Vanessa Boone

Application Number
10/726.531

Filed
December 4, 2003

For HEADREST

Group Art Unit
3873

Examiner
Lisa M. Saldano

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1)) \$120.00
- ☐ Two months (37 CFR 1.17(a)(2)) \$
- ☐ Three months (37 CFR 1.17(a)(3)) \$
- ☐ Four months (37 CFR 1.17(a)(4)) \$
- ☐ Five months (37 CFR 1.17(a)(5)) \$

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 60.00
- ☒ A check in the amount of the fee is enclosed

- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number.

I have enclosed a duplicate copy of this sheet.

I am the ☒ applicant/inventor.

- ☐ assignee of record of the entire interest. See 37 CFR 3.71
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).
- ☐ attorney or agent of record
- ☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(e) _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

February 22, 2003
Date

Signature

E. Vanessa Boone

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

☐ Total of _____ forms are submitted

Bureau Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

§Appl. No. 10/726,531

Reply to Office Action of, October 21, 2004

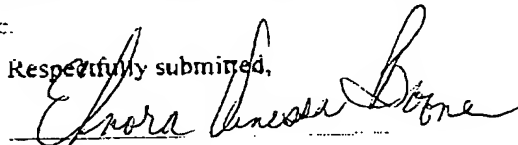
Applicant notes that both the base pillow and head pillow are made of "single blocks of urethane foam." This is not the case in Lilley, Jr. because in Lilley, Jr. the base pillow is made of a plurality of blocks. Moreover, Lilley, Jr. is directed to a portable seat cushion rather than a head rest which is constructed and arranged for elevating a person's head to minimize pressure against a person's hair while the head is resting on the headrest.

With respect to the rejections under 35 U.S.C. §103(a), Applicant submits herewith a "Declaration" overcoming Rejections under 37 C.F.R. §1.132. Applicant is an individual inventor who has sold 24 head rests configured in accordance with the claimed invention. These sales are not the result of an advertising campaign because the Applicant does not have one, rather it is the configuration of the product itself and its successful use for the purpose intended which has resulted in the sales. These sales establish commercial success commensurate with Applicant's small business and financial limitations. Applicant's commercial success is evidence in support of Applicant's argument that her invention is nonobvious.

New claim 11 is directed to the concept shown in Applicant's Figs. 4 and 5, wherein the outer clip 40 is shown on top of the cover 54 on the bottom of the base pillow 38. The outer clip 40 is removable from the headrest and the cover 54 is detachable from the headrest because it is fastened together by VELCRO® connections 54/26.

In that this is a full and complete response to the Office Action of October 21, 2004, this application is now in condition for allowance.

Respectfully submitted,



E. Vanessa Boone

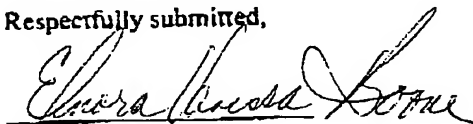
13701 Colgate Way #1138
Silver Spring, MD 20904

Date: February 22, 2005

7) In order for my business to thrive, I need more product which I can obtain only through outside investment. A patent will help me to secure outside investment.

I declare under penalty of perjury that the foregoing is true and correct, this 22nd day of February 2005.

Respectfully submitted,



E. Vanessa Boone
13701 Colgate Way #1138
Silver Spring, MD 20904

Date: February 22, 2005

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